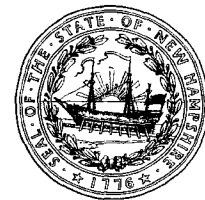




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

July 25, 2006

Mr. Kruey Kroch
MK Environmental, Inc.
87 Powell Street
Lowell, Massachusetts 01851

CERTIFIED MAIL (7005 1160 0004 7467 7250)
RETURN RECEIPT REQUESTED
LETTER OF DEFICIENCY
No. ARD 06-016
(Asb.)

RE: Asbestos Abatement Entity License #AC-174

Dear Mr. Kroch:

On March 31, 2006, the New Hampshire Department of Environmental Services, Air Resources Division ("DES") received an application for renewal of an Asbestos Abatement Entity License from MK Environmental, Inc. Since it appeared that all of the required information was included with the application, DES issued License #AC-174 on April 12, 2006. On May 4, 2006, the check submitted by MK Environmental, Inc., to pay the required application fee of \$500 was returned to DES for insufficient funds. As a result of the returned check and a review of DES files, this Letter of Deficiency ("LOD") is being sent to identify the following deficiencies:

1. He-P 5008.05, *General Renewal Application Procedures*, requires that the appropriate fee accompany the application form for renewal of an asbestos license. He-P 5008.06(b)(1) specifies a fee of \$500.00 for the renewal of an Asbestos Abatement Entity License. On March 31, 2006, MK Environmental, Inc., applied for the renewal of its Asbestos Abatement Entity License and submitted check number 134 in the amount of \$500.00. DES issued License #AC-174 to MK Environmental, Inc., on April 12, 2006. On May 4, 2006, check number 134 was returned to DES for insufficient funds.
2. Env-A 1803.01, *Major Asbestos Abatement Projects*, requires each owner or operator to provide written notification to DES and the city/town health officer at least 10 working days before asbestos abatement activity begins at any major asbestos abatement project. On July 17, 2006, DES contacted an employee of MK Environmental, Inc., who indicated that the company is doing business in New Hampshire. A review of DES files shows that no notification of asbestos abatement activity has been made by MK Environmental, Inc., in the last four months.

DES believes that these deficiencies can be resolved by MK Environmental, Inc., taking the following actions:

- i. By **August 7, 2006**, submit to DES a **certified check** or **money order** for \$508.00 to cover the license application fee and the charge to the DES account for returned check number 134.
- ii. By **August 7, 2006**, submit to DES a list of all asbestos abatement projects commenced in New Hampshire from April 12, 2006 through July 25, 2006, including the size of the projects based on the amount of asbestos involved. For each major project, include the proper notification form and fee pursuant to Env-A 1803. A major project is one that involves more than 10 linear feet, 25 square feet, or 3 cubic feet of regulated asbestos-containing material.


In the event compliance is not achieved within the time period indicated, DES may initiate formal action against MK Environmental, Inc., including revoking License AC-134, and/or referring this matter to the NH Department of Justice for imposition of civil and/or criminal penalties.

Please address all information to Barbara Hoffman at the following address:

NHDES Air Resources Division
Enforcement Section
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095

If you have questions regarding compliance with He-P 5008 or Env-A 1800, or if you require further information, please contact Barbara Hoffman at (603) 271-7874, Air Resources Division, Compliance Bureau. A current copy of Env-A 1800 can be obtained from the DES website at <http://www.des.state.nh.us/rules/env-a1800.pdf> or by contacting the Public Information Center at (603) 271-2975. A current copy of He-P 5008 can be obtained from <http://www.gencourt.state.nh.us/rules/he-p5000.html>.

Sincerely,


for Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

PGM/blh

cc: Hugh Pilgrim, EPA Region 1
G. Hamel, DES Legal Unit Administrator
File